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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,029	03/29/2001	Atul N. Hatalkar	10559-359001	8332

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EXAMINER	
NGUYEN, THANH	
ART UNIT	**PAPER NUMBER**
2144	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/823,029	HATALKAR, ATUL N.	
	Examiner	Art Unit	
	Tammy T. Nguyen	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 February 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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Detailed Office Action

1. This action is in response to the amendment filed on February 17, 2005.

2. Claim 29 is newly added.

3. Claims **1-28** are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 5-8, 11, 15-18, 21, 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gavin Murray Peacock., (hereinafter Peacock) U.S. Patent No. 6,381,650, in view of Katz et al., (hereinafter Katz) U.S. Patent No,6,560,651.

6. As to claim 1, Peacock teaches the invention as claimed, including a method comprising: formatting a request message including a group identifier (col.5, lines 38-45, and col.15, line 65 to col.16, line 10, generates broadcast message to subnet

mask); transmitting the request message to a plurality of client devices over a first communication channel (col.5, lines 35-65, after created message then broadcast "are you there?" packet to all hosts); and receiving a response to the request message from a plurality of client device identified by the group identifier over a second communication channel (col.5, line 57 to col.6, line 18, client program can use the IP and subnet mask to response packet). But Peacock does not explicitly teach request for client information. However, Katz teaches requesting for client information (see col.8, lines 8-35). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Katz into the computer system of Peacock to have request for client information because it would have an efficient system that can provide specific functions that can perform real-time queries on usage information related to the access of library items.

7. As to claims 5, 15, Peacock teaches the invention as claimed, wherein transmitting the request message comprises broadcasting the request message (col.5, lines 30-65).

8. As to claims 6, 16, Peacock teaches the invention as claimed, further comprising: transmitting an acknowledgement signal over the second communication channel to the clients that transmitted the response (col.7, lines 30-40).

9. As to claims 7, Peacock teaches the invention as claimed, including method comprising: storing a group identifier identifying membership a group or more clients (col.5, lines 38-45, and col.15, line 65 to col.16, line 10, generates broadcast message to subnet mask); receiving a request message from a host over a first communication channel, said request message including the group identifier (col.5, lines 35-65, after

created message then broadcast "are you there?" packet to all hosts); and transmitting a response to the request message to second communication channel, (col.5, line 57 to col.6, line 18, client program can use the IP and subnet mask to response packet). But Peacock does not explicitly teach request for client information. However, Katz teaches requesting for client information (see col.8, lines 8-35). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Katz into the computer system of Peacock to have request for client information because it would have an efficient system that can provide specific functions that can perform real-time queries on usage information related to the access of library items. Also, Peacock does not explicitly teach client profile information associated with the group identifier, and transmitting client profile data. However, Katz teaches client profile information associated with the group identifier, and transmitting client profile data (Fig. 8) (see col.11, lines 40-56, col.12, lines 42-65, and col.14, lines 23-31). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Katz into the computer system of Peacock to have client profile information associated with the group identifier, and transmitting client profile data because it would have an efficient system that can provide specific functions that automatically starts its associated application and loads the selected file.

10. As to claims 8, 18, Peacock teaches the invention as claimed, further comprising: waiting for an acknowledgement signal from host over the second communication channel; and retransmitting the response over the second communication channel in

response to not receiving the acknowledgement signal within a time period (col.7, lines 20-40).

11. As to claim 11, Peacock teaches the invention as claimed, including an article comprising a machine-readable medium which stores machine-executable instructions, instructions causing a machine format a request message including a group identifier and a request (col.5, lines 38-45, and col.15, line 65 to col.16, line 10, generates broadcast message to subnet mask); transmit the request message to a plurality of a communication channel (col.5, lines 35-65, after created message then broadcast "are you there?" packet to all hosts); and receive a response the request message from a plurality of client devices identified by the group identifier over a second communication channel (col.5, line 57 to col.6, line 18, client program can use the IP and subnet mask to response packet).

12. As to claim 17, Peacock teaches the invention as claimed, including an article comprising a machine-readable medium which stores machine-executable instructions, the instructions causing a machine to: a group identifier identifying membership in group of two or more clients (col.5, lines 38-45, and col.15, line 65 to col.16, line 10, generates broadcast message to subnet mask); receive a request message from over a first communication channel, said request message including the group identifier (col.35-65, after created message then broadcast "are you there?" packet to all hosts); and transmit a response to the request message the second communication channel (col.5, line 57 to col.6, line 18, client program can use the IP and subnet mask to response packet). But Peacock does not explicitly teach request

for client information. However, Katz teaches requesting for client information (see col.8, lines 8-35). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Katz into the computer system of Peacock to have request for client information because it would have an efficient system that can provide specific functions that can perform real-time queries on usage information related to the access of library items. Also, Peacock does not explicitly teach client profile information associated with the group identifier, and transmitting client profile data. However, Katz teaches client profile information associated with the group identifier, and transmitting client profile data (Fig. 8) (see col.11, lines 40-56, col.12, lines 42-65, and col.14, lines 23-31). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Katz into the computer system of Peacock to have client profile information associated with the group identifier, and transmitting client profile data because it would have an efficient system that can provide specific functions that automatically starts its associated application and loads the selected file.

13. As to claim 21, Peacock teaches the invention as claimed, including an system comprising: a broadcast communication channel (col.5. lines 55-65); a back communication channel (col.15, line 65 to col.6, line10); including a message generator operative to generate request message comprising a target identifier portion and a request in a second portion, and transmitter transmit the request message a plurality of clients over broadcast communication channel (col.5, lines 35-65, after created message then broadcast "care you there"? packet to all hosts); and client

including a memory operative to store client profile information, client profile agent compile profile information response receiving the request message, and transmitter to transmit the compiled profile information the host over the back communication channel (col.5, line 57 to col.6, line 18, client program can use the IP and subnet mask to response packet).

14. As to claim 24, Peacock teaches the invention as claimed, wherein the broadcast communication channel comprises at least one wireless communication link and a transmission line (col.6, lines 30-65, and col.6, lines 1-20).

15. As to claim 25, Peacock teaches the invention as claimed, wherein the back communication link comprises a bi-directional communication link (Fig.1 shows bi-direction).

16. As to claim 26, Peacock teaches the invention as claimed, wherein the back communication link has a lower bandwidth than the broadcast communication link (Fig.5 show broadcast in lower bandwidth 540).

17. As to claim 27, Peacock teaches the invention as claimed, wherein the broadcast communications channel comprises a wireless communication and the second communication channel comprise a transmission line (Fig.1, and col.4, lines 1-5).

18. As to claim 28, Peacock teaches the invention as claimed, wherein the message generator is further operative to include a target date/time in a third portion of the request message, and wherein client further comprises a transmission controller operative to transmit the requested profile information before the target date/time (7, lines 15-30, timestamp).

19. As to claim 29, Peacock teaches the invention as claimed, wherein the client information includes information associated with the particular client device different that client location information (see col.7, lines 20-40).

20. Claims 2-4, 9,10, 12-14, 19, 20, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gavin Murray Peacock., (hereinafter Peacock) U.S. Patent No. 6,381,650, and Katz et al., (hereinafter Katz) U.S. Patent No,6, 560, 651 in view of McMormack et al., (hereinafter 6, 295, 527) U.S. Patent No. September 25, 2001.

21. As to claims 2, 12 Peacock does not teach dynamically grouping two or more of said clients into a second group having a second group identifier, However, McCormack teaches dynamically grouping (Fig. 3, 7, lines 40-65, and col.8, lines 30-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of McCormack into the computer system of Peacock to perform dynamically group two or more of client into a group because it would have provide to determine current membership of the device group by retrieving the group criteria data from the database and comparing the group criteria data against device data about devices that currently exist in the network.

22. As to claims 22, Peacock does not explicitly teach client profile information associated with the group identifier, and transmitting client profile data. However, Katz teaches client profile information associated with the group identifier, and transmitting client profile data (Fig. 8) (see col.11, lines 40-56, col.12, lines 42-65,

and col.14, lines 23-31). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Katz into the computer system of Peacock to have client profile information associated with the group identifier because it would have an efficient system that can provide specific functions that automatically starts its associated application and loads the selected file. Also, Peacock and Katz do not teach dynamically grouping two or more of said clients into a second group having a second group identifier, However, McCormack teaches dynamically grouping (Fig. 3, 7, lines 40-65, and col.8, lines 30-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of McCormack into the computer system of Peacock, and Katz to perform dynamically group two or more of client into a group because it would have provide to determine current membership of the device group by retrieving the group criteria data from the database and comparing the group criteria data against device data about devices that currently exist in the network.

23. As to claims 3, 13, Peacock teaches the invention as claimed, further comprising: transmitting the second group identifier to the plurality of client devices; and storing the second group identifier at each client in the second group (col.6, lines 1-20).

24. As to claims 4, 14, Peacock teaches the invention as claimed, further comprising: formatting second request message including the second group identifier and a request (col.6, lines 1-20).

25. As to claim 9, 10, 19, and 20, Peacock does not teach requesting for client profile information. However, McCormack teaches requesting for client profile information

(col.8, lines 30-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of McCormack into the computer system of Peacock to perform requesting for client profile information because it would have provided representing distinctive features of users.

26. As to claim 23, Peacock teaches the invention as claimed, wherein the client further comprises: a membership identifier a receiver controller operative discard the request message in response to the membership identifier matching the group identifier (Fig. 6b, and col.5, lines 1-10).

Conclusion

27. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

28. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(571) 272-3929**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, David Wiley, may be reached at **(571) 272-3923**.

TTN
July 5, 2005

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100